

Remarks

Reconsideration of the application, as amended, is respectfully requested.

I. STATUS OF CLAIMS

Claims 1-33 are pending in this application. Claims 1, 2, 4, 6, 7, 10, 11, 15-19, 21, 22, 25, 26 and 31-33 were amended to more particularly point out and distinctly claim that which applicants regard as their invention. Claims 15 and 21-22 have also been amended to correct certain informalities in these claims. In addition, claims 8, 9, 23 and 24 have been amended into independent format to include all of the limitations of their respective base claims as per the Examiner's comments, in order to obtain an immediate allowance of these claims.

It is respectfully submitted that no new matter has been added by virtue of this amendment. Support for the amended claims are found throughout the specification as originally filed.

II. Objection to the Specification

The Examiner objected to the present specification pursuant to 37 CFR. 1.77(b) on the grounds that the section headings of the specification should not be "boldfaced".

In response, the specification has been amended herewith to unbold all of the section headings of the present specification in order to comply with 37 CFR. 1.77(b).

Based upon the above changes, it is respectfully requested that the Examiner's objection to the specification be withdrawn.

III. Claim Objections

The Examiner also objected to claims 15 and 21-22 based upon certain informalities.

Specifically, the Examiner objected to claims 15 and 21 on the grounds that these claims end with two periods.

In response, claims 15 and 21 have been amended to remove the additional period from the end of these claims.

Next, the Examiner objected to claim 22 on the grounds that this claim does not end with a period.

In response, claim 22 has been amended include a period at the end of this claim.

Based upon the above changes, it is respectfully requested that the Examiner's objection to the claims be withdrawn.

IV. 35 U.S.C. 102(e) REJECTIONS

The Examiner rejected claims 1-3, 7, 16-18, 22 and 31 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,615,209 B1 to Gomes et al. ("the Gomes patent").

Initially, it is noted that independent claims 1, 16 and 31 have been amended to further clarify that the terms obtained and compared for each document are salient terms.

A “salient term” according to the present invention is defined as a single word or a multi-word term that meets a predetermined confidence. A more detailed discussion of the definition of salient terms and how they are selected is set forth throughout the present specification and in particular on page 5, lines 30-34 and page 6, lines 1-11 of the specification.

The Gomes patent is directed to duplicate detection techniques that at least in part utilize query relevant information to limit the portion of documents to be compared for similarity. This reference does not disclose nor suggest Applicants’ claimed method as recited in amended independent claim 1, claimed system as recited in amended independent claim 16 or claimed computer program as recited in amended independent claim 31. Specifically, the Gomes patent at the very least fails to teach or suggest obtaining a list of salient terms for each document and then utilizing these lists of salient terms for comparing the similarity of one document to another, as recited in amended claims 1, 16 and 31. Rather, the Gomes patent requires the use of query relevant information in its duplicate detection techniques. In contrast, the salient terms of the presently claimed invention as recited in amended independent claims 1, 16 and 31 are not required to be based even in part on query relevant information.

The Examiner is respectfully reminded that for a rejection to be made on the basis of anticipation, it is well recognized that “to constitute anticipation, all material elements recited in the claim must be found in one unit of prior art,” *Ex Parte Gould, BPAI, 6 USPQ 2d, 1680, 1682 (1987), citing with approval In re Marshall, 578 F.2d 301, 304, 198 USPQ 344, 346 (CCPA 1978)*. In the instant case, it should be clear that the disclosure of the Gomes patent does not anticipate or suggest the claimed invention, as recited in independent claim 1, 16 and claim 31 depending therefrom.

Accordingly, for at least this reason, the Examiner’s rejection of these claims should be reconsidered and withdrawn. Since claims 2-3 and 7, depend from and incorporate all of

the limitations of claim 1 and claims 17-18 and 22 depend from and incorporate all of the limitations of claim 16, withdrawal of the above rejection to these dependent claims is also respectfully requested.

The Examiner has also rejected claims 10, 12-13, 25, 27-28 and 32 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,658,423 B1 to Pugh et al. (“the Pugh patent”).

Initially, it is noted that independent claims 10, 25 and 32 have been amended to further clarify that the document signatures are computed from salient terms.

The Pugh patent is directed to duplicate detection techniques, wherein a number of fingerprints may be assigned to a given document by extracting parts from the document, assigning the extracted parts to one or more of a predetermined number of lists, and generating a fingerprint from each of the populated lists. Further, in the Pugh patent, two documents may be considered near-duplicates if any one of their fingerprints match. However, the Pugh patent reference at the very least fails to teach or suggest “...computing a document signature for each document from the list of salient terms obtained for the document”, as recited in amended independent claims 10, 25 and 32. Although, the Pugh patent describes using extracted parts such as words or terms in generating its fingerprint (s) for a given document, the words or terms referred to by Pugh patent for forming its fingerprints are not the salient terms recited in claims 10, 25 and 32 and clearly defined in the present specification.

Accordingly, for at least this reason, the Examiner’s rejection of these claims should be reconsidered and withdrawn. Since claims 12-13 depend from and incorporate all of the limitations of claim 10 and claims 27-28 depend from and incorporate all of the limitations of claim 25, withdrawal of the above rejection to these dependent claims is

also respectfully requested.

V. 35 U.S.C. 103(a) REJECTIONS

The Examiner rejected claims 4-6 and 19-21 under 35 U.S.C 103(a) as being unpatentable over the Gomes patent in view of U.S. Patent No. 6,263,348 B1 to Kathrow et al. (“the Kathrow patent”).

As mentioned above, the Gomes patent at the very least fails to teach or suggest obtaining a list of salient terms for each document and then utilizing these lists of salient terms for comparing the similarity of one document to another, as recited in amended claims 1, 16 and 31. As claims 4-6 depend from and incorporate all of the limitations of independent claim 1, and claims 19-21 depend from and incorporate all of the limitations of independent claim 16, these dependent claims are thus also patentable over the Gomes patent.

Moreover, the Kathrow patent fails to cure the above deficiencies of the Gomes patent. Specifically, the Kathrow patent fails at the very least to teach or suggest comparing salient terms from one document with the salient terms of another document to determine the similarity of these documents to one another. Rather, the Kathrow patent relates to a method and apparatus for identifying the existence of differences between two files on a personal computer, such as two versions of a windows registry file. Essentially, in Kathrow, values/keys from one file are utilized to generate a first fingerprint associated with the first file and values/keys from a second file are used to generate a second fingerprint associated with the second file and then these fingerprints are compared to one another to determine if the two files are identical. However, the values /keys referred to in Kathrow for forming its comparison fingerprints are not the salient terms recited in claims 4-6 and 19-21.

Withdrawal of the Examiner’s above rejection of claims 4-6 and 19-21 is therefore respectfully requested.

The Examiner also rejected claims 11, 26 and 33 under 35 U.S.C. 103(a) as being obvious over the Pugh patent in view of U.S. Patent No. 4,993,068 to Piosenka, et al. (“the Piosenka patent”).

As mentioned above, the Pugh patent at the very least fails to teach or suggest “...computing a document signature for each document from the list of salient terms obtained for the document”, as recited in amended independent claims 10, 25 and 32. As claim 11 depends from and incorporate all of the limitations of independent claim 10, claim 26 depends from and incorporate all of the limitations of independent claim 25 and claim 33 depends from and incorporate all of the limitations of independent claim 32, these dependent claims are thus also patentable over the Pugh patent.

Further, the Piosenka patent fails to cure the above deficiencies of the Pugh patent. In particular, the Piosenka patent also fails at the very least to teach or suggest “...computing a document signature for each document from the list of salient terms obtained for the document”. Instead, the Piosenka patent relates to a personal identification system for identifying users at remote access control sites, wherein physical trait data and optional privilege and attribute data (collectively referred to a composite data (CDS)) is stored on a portable memory device. At a remote access control site, the user presents his portable memory device and the encrypted identification credentials are read. The encrypted identification credentials may be in the form of a digital signature. The user then submits physically to inputting his or her physical identification characteristics to the remote access control site. A comparison is then performed with the credentials obtained from the memory device and with the user’s physical identity to determine whether to allow or deny access at the remote site.

However, Piosenka does not teach or suggest using salient terms to compute its digital signature, as recited in claims 11, 26 and 33. Withdrawal of the Examiner’s above rejection of claims 11, 26 and 33 is therefore respectfully requested.

Lastly, the Examiner also rejected claims 14-15 and 29-30 under 35 U.S.C 103(a) as being unpatentable over the Pugh patent in view of the Kathrow patent.

In response, as mentioned above the Pugh patent reference at the very least fails to teach or suggest "...computing a document signature for each document from the list of salient terms obtained for the document", as recited in amended independent claims 10 and 25. As claim 14-15 depends from and incorporate all of the limitations of independent claim 10 and claims 29-30 depend from and incorporate all of the limitations of independent claim 25, these dependent claims are thus also patentable over the Pugh patent.

Moreover, the Kathrow patent fails to cure the above deficiencies of the Pugh patent because as also mentioned above the Kathrow patent fails to teach or suggest the use of salient terms in its file comparison processes. Withdrawal of the Examiner's above rejection of claims 14-15 and 29-30 is therefore respectfully requested.

VI. ALLOWABLE SUBJECT MATTER

Claims 8-9 and 23-24 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable by the Examiner if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

In response, claims 8, 9 and 23-24 have all been amended into independent form to include all of the limitations of their respective base claims. Therefore, it is respectfully submitted that each of these amended claims are now in condition for allowance.

It is further noted that the above amendments to claims 8, 9 and 23-24 were made solely to expedite the prosecution of the present application and should not be interpreted as having been made for any reason related to the patentability of these claims.

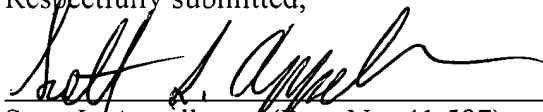
VII. CONCLUSION

It is believed that all pending claims as currently presented are in condition for allowance. A notice of allowance is respectfully requested.

According to currently recommended Patent Office policy, the Examiner is requested to contact the undersigned at the telephone number provided below in the event that a telephone interview will advance the prosecution of this application. An early and favorable action is earnestly solicited.

The Commissioner is authorized to charge Deposit Account No. 50-0510 in the amount of \$352.00 to cover the additional claims fee for the four (4) new independent claims (8, 9, 23 and 24) resulting from this amendment. However, if there are any additional fees due, please charge any fee deficiency to Deposit Account No.: 50-0510.

Respectfully submitted,



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10/19/2004
Date



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